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Washington, D.C. 20231

JULY 29, 2003

PTAS

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SAN FRANCISCO, CA 94111-3834

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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/25/2003

REEL/FRAME: 013828/0575  
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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

NETWORK PHOTONICS, INC.

DOC DATE: 06/17/2003

## ASSIGNEE:

PTS CORPORATION, A DELAWARE  
CORPORATION  
101 INNOVATION DRIVE  
SAN JOSE, CALIFORNIA 95134

SERIAL NUMBER: 10148710  
PATENT NUMBER:

FILING DATE: 11/18/2002  
ISSUE DATE:

SERIAL NUMBER: 10278182  
PATENT NUMBER:

FILING DATE: 10/21/2002  
ISSUE DATE:

SERIAL NUMBER: 09551256  
PATENT NUMBER:

FILING DATE: 04/18/2000  
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ISSUE DATE:

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SERIAL NUMBER: 09747064	FILING DATE: 12/20/2000
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10241105	FILING DATE: 09/10/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 09706489	FILING DATE: 11/03/2000
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10076182	FILING DATE: 02/12/2002
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SERIAL NUMBER: 10171434	FILING DATE: 06/12/2002
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SERIAL NUMBER: 09782882	FILING DATE: 02/13/2001
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SERIAL NUMBER: 09859069	FILING DATE: 05/15/2001
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SERIAL NUMBER: 10161838	FILING DATE: 06/03/2002
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SERIAL NUMBER: 09799916	FILING DATE: 03/05/2001
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SERIAL NUMBER: 10300438	FILING DATE: 11/19/2002
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ISSUE DATE: 07/29/2003SERIAL NUMBER: 09954662  
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PATENT NUMBER:FILING DATE: 03/13/2002  
ISSUE DATE:SERIAL NUMBER: 10306826  
PATENT NUMBER:FILING DATE: 11/26/2002  
ISSUE DATE:SERIAL NUMBER: 10808789  
PATENT NUMBER:FILING DATE:  
ISSUE DATE:SERIAL NUMBER: 10095794  
PATENT NUMBER:FILING DATE: 03/11/2002  
ISSUE DATE:SERIAL NUMBER: 10093843  
PATENT NUMBER:FILING DATE: 03/08/2002  
ISSUE DATE:SERIAL NUMBER: 10150810  
PATENT NUMBER:FILING DATE: 05/17/2002  
ISSUE DATE:

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SERIAL NUMBER: 10126189  
PATENT NUMBER:FILING DATE: 04/19/2002  
ISSUE DATE:SERIAL NUMBER: 10401416  
PATENT NUMBER:FILING DATE: 03/28/2003  
ISSUE DATE:SERIAL NUMBER: 10147181  
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PATENT NUMBER:FILING DATE: 09/12/2002  
ISSUE DATE:SERIAL NUMBER: 10262404  
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ISSUE DATE:SERIAL NUMBER: 09442061  
PATENT NUMBER: 6501877FILING DATE: 11/16/1999  
ISSUE DATE: 12/31/2002SERIAL NUMBER: 09745760  
PATENT NUMBER: 6542657FILING DATE: 12/20/2000  
ISSUE DATE: 04/01/2003SERIAL NUMBER: 09745459  
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ISSUE DATE: 03/18/2003SERIAL NUMBER: 09615300  
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ISSUE DATE: 09/10/2002SERIAL NUMBER: 09669758  
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PATENT NUMBER: 4381387FILING DATE: 06/22/1981  
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PATENT NUMBER: 6535319FILING DATE: 07/03/2001  
ISSUE DATE: 03/18/2003SERIAL NUMBER: 09941998  
PATENT NUMBER: 6439728FILING DATE: 08/28/2001  
ISSUE DATE: 08/27/2002SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



Form PTO-1596  
Recordation Form Cover Sheet  
Patents Only  
Page 2

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)
2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)
3. Additional application number(s) or patent number(s):  
(Continued from Page 1)

## A. Patent Application No.(s)

10/241,105

09/706,489

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10/171,434

60/363,724

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10/080,789

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10/242,213

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## B. Patent No.(s)

6,490,089

6,381,387

6,525,352

6,535,319

6,439,728

EXHIBIT 3.02(b)

PATENT ASSIGNMENT

ASSIGNMENT AND TRANSFER OF PATENTS

WHEREAS, Network Photonics, Inc., a Delaware corporation, with offices at 4775 Walnut Street, Boulder, Colorado 80301 ("Assignor") owns certain patent applications and/or registrations, as listed in Exhibit A attached hereto and incorporated herein by this reference ("Patents"); and

WHEREAS, PTS Corporation, a Delaware corporation, with offices at 101 Innovation Drive, San Jose, California 95134 ("Assignee"), desires to acquire all of the right, title and interest of Assignor in, to and under the Patents;

WHEREAS, Assignor and Assignee have entered into a certain Asset Purchase Agreement, dated as of June 17, 2003 ("Assignment Agreement"), assigning, among other things, all right, title and interest in, to and under the Patents and in, to and under the registrations for same from Assignor to Assignee;

NOW, THEREFORE, for good and valuable consideration described in the Assignment Agreement, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby irrevocably sell, assign, transfer and convey unto Assignee all of its right, title and interest in and to the Patents, including all patent applications and divisions, continuations, continuations-in-part, reexaminations, substitutions, reissues, extensions and renewals of the applications and registrations for the Patents (and the right to apply for any of the foregoing); all rights to causes of action and remedies related thereto (including, without limitation, the right to sue for past, present or future infringement, misappropriation or violation of rights related to the foregoing); and any and all other rights and interests arising out of, in connection with or in relation to the Patents throughout the universe, including without limitation all foreign counterparts and foreign equivalents of any of the foregoing.

Assignor authorizes and requests the patent officials in the United States and in any and all foreign jurisdictions to issue any and all letters patent and foreign counterparts or equivalents thereof to PTS Corporation, as assignee of the entire interest of Assignor therein, and covenants that Assignor has full right to convey the entire interest herein assigned and that Assignor has not executed and will not execute any agreements in conflict herewith.

Assignor further agrees, for itself, its successors and assigns, to execute such further documents and to perform such further lawful acts as may reasonably be required to effectuate this assignment.

IN WITNESS WHEREOF, Assignor has caused this assignment to be duly executed by an authorized officer on this 17<sup>th</sup> day of June, 2003.

Network Photonics, Inc.

By: [Signature]  
Name: Steve Georgis  
Title: President & CEO

STATE OF Colorado )  
COUNTY OF Boulder ) ss.

On June 17, 2003, before me, the undersigned notary public in and for said County and State, personally appeared Steve Georgis

X personally known to me [or]  
       proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) Steve Georgis subscribed to the within instrument and acknowledged to me that Steve Georgis executed the same in his authorized capacity(ies) and that, by his signature(s) on the instrument, the person(s) or the entity(ies) upon behalf of which the person(s) acted executed the instrument.

Witness my hand and official seal.



My Commission Expires 04/07/04

[Signature]

My commission expires on

April 7, 2004

Kathy L. Sanderson  
4775 Walnut Street  
Boulder, CO 80301



# EXHIBIT A

## PATENTS

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue Date
019930-000100 US (DNS)	Wavelength Router	Weverka, Robert T. Roth, Richard S.	09/442061	11/16/1999	6501877	12/31/2002
019930-000110 CA (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	2389622	11/14/2000		
019930-000110 CN (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	00815769.3	11/14/2000		
019930-000110 EP (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	00983709.7	11/14/2000		
019930-000110 JP (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	2001-538854	11/14/2000		
019930-000110 PC (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	00/31448	11/14/2000		
019930-000110 US (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	10/148710	5/29/2002		
019930-000120 US (DNS)	Wavelength Router	Weverka, Robert T. Georgis, Steven P. Roth, Richard S.	10/278182	10/21/2002		
019930-000200 CA (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	2406369	3/22/2001		
019930-000200 CN (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	1811343.5	3/22/2001		
019930-000200 EP (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	01928317.5	3/22/2001		
019930-000200 JP (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	2001-576415	3/22/2001		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue Date
019930-000940 US PMB (DNS)	Diffraction Grating With Reduced Polarization-Dependent Loss	Fabiny, Larry Sarto, Tony	10/241105	9/10/2002		
019930-001000 PC DJG PMB (DNS)	Reduction of Polarization-Dependent Loss from Grating Used in Double-Pass Configuration	Fabiny, Larry	PCT/US01/47565	11/2/2001		
019930-001000 US DJG PMB (DNS)	Reduction of Polarization-Dependent Loss from Grating Used in Double-Pass Configuration	Fabiny, Larry	09/706489	11/3/2000		
019930-001010 US PMB (DNS)	Reduction of Polarization Dependent Loss from a Grating Used in Double Pass Configuration	Fabiny, Larry	10/076182	2/12/2002		
019930-001020 US PMB (DNS)	Reduction of Polarization-Dependent Loss in Double Pass Configurations	Silveira, Paulo E. X. Sarto, Tony Fabiny, Larry Voitel, Marko	10/171434	6/12/2002		
019930-001100 US PMB (DNS)	Variable Wavelength Attenuator for Spectral Grooming Using Micromirror Routing	Weaver, Samuel P.	60/363724	3/11/2002		
019930-001110 PC PMB (DNS)	Variable Wavelength Attenuator for Spectral Grooming and Dynamic Channel Equalization Using Micromirror Routing	Weaver, Samuel P. Sarto, Andrew W.	PCT/US03/07902	3/11/2003		
019930-001110 US PMB (DNS)	Variable Wavelength Attenuator for Spectral Grooming Using Micromirror Routing	Weaver, Samuel P. Sarto, Anthony W.	10/243924	9/12/2002		
019930-001200 US PMB (DNS)	Focal Length Dispersion Compensation for Field Curvature	Weaver, Samuel P. Cahill, Raymond F.	09/782882	2/13/2001		
019930-001300 PC DJG (DNS)	Athermalization of a Wavelength Routing Element	Wendland Jr., R.G.	01/24242	7/31/2001		
019930-001300 US DJG (DNS)	Athermalization of a Wavelength Routing Element	Wendland Jr., R.G.	09/630817	8/2/2000	6381387	4/30/2001
019930-001400 US RTB (DNS)	Hidden Flexure Ultra-Planar Optical Routing Element	Michalick, M. A.	09/859069	5/15/2001		
019930-002000 US RTB (DNS)	Optical Routing Elements	Wendland, Jr., R.G.	10/161838	6/3/2002		
019930-002200 US PMB (DNS)	Method to Reduce Release Time of Micromachined Devices	Muller, Lilac Staple, Bevan	60/252784	11/22/2000		
019930-002210 US PMB (DNS)	Method to Reduce Release Time of Micromachined Devices	Muller, Lilac Staple, Bevan	09/837362	4/18/2001	6525352	2/25/2002

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue Date
019930-000200 PC (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	PCT/US01/09442	3/22/2001		
019930-000200 US (DNS)	Wavelength Monitor for WDM Systems	Georgis, Steven P. Weverka, Robert T.	09/551256	4/18/2000		
019930-000500 US PMB (DNS)	Linear Optical Beam Translator for Optical Routing	Weaver, Samuel P. Weverka, Robert T. Roth, Richard S.	09/658158	9/8/2000		
019930-000510 PC PMB (DNS)	Linear Optical Beam Translator For Optical Routing	Weaver, Samuel P. Weverka, Robert T. Roth, Richard S.	01/28309	9/7/2001		
019930-000600 PC PMB (DNS)	Binary Switch for an Optical Wavelength Router	Anderson, Robert L.	01/50524	12/20/2001		
019930-000600 US PMB (DNS)	Binary Switch for an Optical Wavelength Router	Anderson, Robert L.	09/745760	12/20/2000	6542657	4/1/2003
019930-000700 PC PMB (DNS)	1X2 Optical Wavelength Router	Anderson, Robert L.	01/50441	12/20/2001		
019930-000700 US PMB (DNS)	1X2 Optical Wavelength Router	Anderson, Robert L.	09/745459	12/20/2000	6535664	3/18/2003
019930-000800 US PMB (DNS)	Wavelength Router with Staggered Input-Output Fibers	Anderson, Robert L. Weaver, Samuel P.	09/747064	12/20/2000		
019930-000900 US PMB (DNS)	Diffraction Grating with Reduced Polarization-Dependent Loss	Fabiny, Larry Sarto, Tony	09/615300	7/13/2000	6449096	9/10/2002
019930-000910 US PMB (DNS)	Grating Fabrication Process Using Combined Crystalline- Dependent & Crystalline-Independent Etching	Muller, Lilac Arnett, Kenneth E. Fabiny, Larry Pister, Kristofer S.	09/669758	9/26/2000	6517734	2/11/2002
019930-000920 US PMB (DNS)	Diffraction Grating with Reduced Polarization-Dependent Loss	Fabiny, Larry	09/748687	12/21/2000	6490089	12/3/2002
019930-000930 PC PMB (DNS)	Diffraction Grating With Reduced Polarization-Dependent Loss	Fabiny, Larry Sarto, Tony Muller, Lilac Arnett, Kenneth E. Pisterf, Kristofer	01/22229	7/11/2001		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue Date
019930-002300 US PMB (DNS)	Method for Reducing Leaching in Metal-Coated MEMS	Staple, Bevan  Miller, David Muller, Lilac	09/799916	3/5/2001		
019930-002400 US PMB (DNS)	Optical Surface-Mount Lens Cell	Anderson, David Paul	09/899013	7/3/2001		
019930-002500 US PMB (DNS)	MEMS-Based, Non-Contacting, Free-Space Optical Switch	Staple, Bevan  Roth, Richard S.	09/899002	7/3/2001		
019930-002600 US PMB (DNS)	Free-Space Optical Wavelength Routing Elements Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor  Staple, Bevan Marinelli, David	09/899000	7/3/2001	6535319	3/18/2003
019930-002700 US PMB (DNS)	Two-Dimensional Free-Space Optical Wavelength Routing Element Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor	09/899001	7/3/2001		
019930-002710 US PMB (DNS)	Two-Dimensional Free-Space Optical Wavelength Routing Element Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor	10/300438	11/19/2002		
019930-002800 US DMH (DNS)	Systems & Methods for Overcoming Stiction	Miller, David  Muller, Lilac  Anderson, Robert L.	10/087040	2/28/2002		
019930-003000 US DMH (DNS)	Methods & Apparatus for Providing a Multi-Stop Micromirror	Anderson, David Paul	09/899014	7/3/2001		
019930-003100 US DMH (DNS)	Systems & Methods for Overcoming Stiction Using a Lever	Anderson, David Paul	09/898988	7/3/2001		
019930-003200 US PMB (DNS)	Bistable Mirror with Contactless Stops	Muller, Lilac	09/899004	7/3/2001		
019930-003500 US PMB (DNS)	Micromirror Array Having Adjustable Angles	Anderson, Robert L.  Staple, Bevan Roth, Richard S.	09/880230	6/12/2001		
019930-003600 US PMB (DNS)	Dual-Wave Optical Shared Protection Ring	Wahler, Ronald A.  Bortolini, Edward J.	09/954662	9/12/2001		
019930-003700 US WV (DNS)	Method & Apparatus for Protecting Wiring & Integrated Circuit Device	Anderson, Robert L.  Reyes, David	10/216600	8/9/2002		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue Date
019930-004000 US PMB (DNS)	MEMS Die Holder	Roberts, Joseph	09/941325	8/28/2001		
019930-004400 US PMB (DNS)	Multimirror Stack for Vertical Integration of MEMS Devices in Two-Position Retroreflectors	Copeland, Frederick	09/941998	8/28/2001	6439728	8/27/2002
019930-004500 US PMB (DNS)	Optical Wavelength Cross Connect Architectures Using Wavelength Routing Elements	Bortolini, Edward J.  Barthel, Dirk Weverka, Robert T. Iraschko, Rainer R. Morley, George D.	10/093844	3/8/2002		
019930-004510 PC PMB (DNS)	Optical Wavelength Cross Connect Architectures Using Wavelength Routing Elements and Methods For Performing In-Service U	Bortolini, Edward J.  Barthel, Dirk Weverka, Robert T. Iraschko, Rainer R. Morley, George D.	PCT/US03/07422	3/10/2003		
019930-004510 US PMB (DNS)	Optical Wavelength Cross Connect Architectures Using Wavelength Routing Elements	Weverka, Robert T.	10/279388	10/23/2002		
019930-005500 US PMB (DNS)	Wavelength Router with a Transmissive Dispersive Element	Fabiny, Larry	09/992087	11/12/2001		
019930-005600 US PMB (DNS)	High Efficiency, Low Polarization Dependent Loss, Lamellar Diffraction-Grating Profile & Production Process	Fabiny, Larry  Arneti, Kenneth E.	09/992849	11/12/2001		
019930-005700 US PMB (DNS)	Survivable Ring Transmission System with Multiple Protection Classes	Iraschko, Rainer R.  MacGregor, Michael H Morley, George David Stamatelakis, Demetr Wahler, Ronald A.	10/118070	4/5/2002		
019930-005800 US PMB (DNS)	One-to-M Wavelength Routing Element	Cizek, Nicholas C.  Weaver, Samuel Paul	10/099392	3/13/2002		
019930-005900 US G2B PMB (DNS)	Two-By-Two Wavelength Routine Element Using One Two- Position MEMS Mirrors	Cizek, Nicholas C.	10/098805	3/13/2002		
019930-006000 US RCL (DNS)	Method for Sub Network Connection Protection in All Optical Networks	Weverka, Robert T.	10/306826	11/26/2002		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue Date
019930-006100 US PMB (DNS)	Methods for Affirming Switched Status of MEMS Based Devices	Staple, Bevan  Anderson, Robert L.	10/080789	2/21/2002		
019930-007300 PC PMB (DNS)	Tunable DWDM Demultiplexer	Christopher S., Alaimo  Bortolini, Edward J. DeFrancesco, Marc Honea, Keith Marinelli, David Mechels, Steven Rice, James Weverka, Robert T. Kiruluta, Andrew J. M. Wood, Christopher Stephen Kaliski, Robert W.	PCT/US03/07899	3/11/2003		
019930-007300 US PMB (DNS)	Tunable DWDM Demultiplexer	Christopher S., Alaimo  Bortolini, Edward J. DeFrancesco, Marc Honea, Keith Marinelli, David Mechels, Steven Rice, James Weverka, Robert T. Kiruluta, Andrew J. M.	10/095794	3/11/2002		
019930-007500 US PMB (DNS)	Methods for Performing In-Service Upgrades of Optical Wavelength Cross Connects	Bortolini, Edward J.	10/093843	3/8/2002		
019930-007900 US PMB (DNS)	Bidirectional Wavelength Cross- Connect Architectures Using Wavelength Routing Elements	Bortolini, Edward J.  Barthel, Dirk Weverka, Robert T. Weaver, Samuel Paul Silveira, Paulo E. X.	10/150810	5/17/2002		
019930-008000 US PMB (DNS)	Multi-City DWDM Wavelength Link Architectures & Methods for Upgrading	Alaimo, S.Christophe  Barthel, Dirk Morley, George David Bortolini, Edward J. Urie, Richard W.	10/126189	4/19/2002		
019930-008100 US PMB (DNS)	Optical Routing Mechanism With Integral Fiber Input/Output Arrangement on MEMS Die	KAPLAN, MICHAEL	10/401416	3/28/2003		

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue Date
019930-008200 US PMB (DNS)	Variable-Density Optical Cross Connect Architectures & Upgrades	Weverka, Robert T.  Bortolini, Edward J. Urie, Richard W. Clark, Phillip	10/147181	5/15/2002		
019930-008300 US PMB (DNS)	Surfactant-Enhanced Protection of Micromechanical Components from Galvanic Degradation	Staple, Bevan	10/242213	9/12/2002		
019930-008400 US PMB (DNS)	Floating Entrance Guard for Preventing Electrical Short Circuits	Miller, David	10/262404	9/30/2002		
019930-008800 US PMB (DNS)	Equipment Monitoring Techniques for Optical Switching & Wavelength Switching Devices & Systems					